

Remarks/Arguments:

This paper is accompanied by a Request for Continued Examination, and further is responsive to the final office action mailed on September 23, 2010.

The present response cancels claims 1-44 without prejudice and presents a new set of claims based upon independent claim 45 which calls for a binder including an aqueous, film forming, polymeric siloxane wherein particles in the polymeric siloxane act as fillers and are enveloped by the polymeric siloxane. As used in the present claims, reference to the particles being enveloped by the polymeric siloxane indicate that the polymeric siloxane molecules are formed around the particles of fillers. This is accomplished in the present invention by hydrolyzing the polymeric siloxane from monomeric silane in the presence of the particles so that the molecules build around the filler.

In all art of record, polymeric siloxane is hydrolyzed first, before any materials which can be considered as fillers are added, and this precludes formation of the polymeric siloxane molecules around the filler. In other words, in this prior art, the particles of fillers are not enveloped by the polymeric siloxane.

Thus, claim 45 recites novel subject matter as compared to the art of record.

The result of integrating such fillers into the polymeric siloxane is that a binder is provided which is very dense (see specification page 6, third paragraph). This is particularly advantageous, because coatings made using the binder according to the present invention provide better protection and sealing of workpieces.

Dependent claims 46-85 all depend directly or indirectly from independent claim 45, and are believed to be allowable based upon this dependency.

To summarize, while the art of record frequently discusses using silanes, that is, monomers as a binder, the present invention relates to polymeric siloxane, or polysiloxane, which is different from a monomer as discussed in the prior art. When monomers of the art of record are applied as a binder to the surface of the workpiece, the network of monomers is built during curing after application. The binder of the present invention, on the other hand, already includes hydrolyzed silanes, or polysiloxane, which is hydrolyzed in the presence of the filler particles such that the filler particles are enveloped by the polysiloxane. This is both different and not obvious as compared to the prior art.

An earnest and thorough effort has been made to respond to all issues pending in this application and to place the application in condition for allowance. This paper is submitted with a request for continued examination, and it is believed that further and favourable action on the merits is now appropriate.

This paper is accompanied by authorization to charge the fee for filing of a request for continued examination. It is believed that no further fee is due. If any such fee is due, please charge same to Deposit Account 02-0184.

Respectfully submitted,

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